

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**CONNIE BASCO, in her individual )  
capacity and as Personal Representative )  
of the Estate of STAR SHELLS, )  
deceased, et al. )**

**Plaintiffs, )**

**v. )**

**Case No. CIV-23-1143-G**

**CITY OF OKLAHOMA CITY, )**

**Defendant. )**

**ORDER**

On May 9, 2024, the Court granted Plaintiffs’ request to amend their initial complaint pursuant to Federal Rule of Civil Procedure 15(a)(2). *See* Order of May 9, 2024 (Doc. No. 19). Plaintiffs then filed their First Amended Complaint (Doc. No. 20) on May 16, 2024. Defendant timely filed a Motion to Dismiss (Doc. No. 21). Plaintiffs requested and received leave of Court for an extension of time to file a “response” to the Motion to Dismiss. *See* Order of June 21, 2024 (Doc. No. 23).

On the extended due date for the response, Plaintiffs instead filed a “Second Amended Complaint” (Doc. No. 24). Plaintiffs did not request or receive “the Court’s leave” to file this pleading and have not submitted Defendant’s “written consent” to further amendment. Fed. R. Civ. P. 15(a)(2).

Accordingly, the “Second Amended Complaint” (Doc. No. 24) is without legal effect and is STRICKEN on that basis. *See id.*; *Murray v. Archambo*, 132 F.3d 609, 612 (10th Cir. 1998).

IT IS FURTHER ORDERED that the Court sua sponte extends Plaintiffs' deadline to respond to the pending Motion to Dismiss to July 3, 2024. No further extensions are contemplated absent a specific showing on motion of excusable neglect and good cause pursuant to Rule 6(b)(1)(B) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED this 1st day of July, 2024.

  
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CHARLES B. GOODWIN  
United States District Judge